

LAW OFFICES
KAGAN STERN MARINELLO & BEARD, LLC
238 WEST STREET
ANNAPOLIS MARYLAND 21401
Telephone (410) 216-7900
Facsimile (410) 705-0836

MICHAEL J. MARINELLO

MARINELLO@KAGANSTERN.COM
WWW.KAGANSTERN.COM

October 15, 2024

Honorable Stephanie A. Gallagher
United States District Court for the
District of Maryland (Northern Division)
101 West Lombard Street
Baltimore, MD 21201

**RE: *Doreen Henry, et al. v. Terrance Hall, et al.*, Civil No. 1:23-cv-01285-SAG,
Plaintiff's Status Update and Request to Close Case**

Dear Judge Gallagher:

As the Court is aware, on or about July 10, 2024, the Court entered Default Judgment (ECF No. 39) against Terrance Hall ("Mr. Hall") and Lisa Hall ("Mrs. Hall") (collectively, "Defendants") due to their failure to provide or otherwise participate in discovery, their failure to appear for the in-court motions hearing on June 20, 2024, and their failure to respond to this Court's Show Cause Order issued June 20, 2024 (ECF No. 37) by July 5, 2024. The case was thereafter closed. The Order for Default Judgment provided that Defendants "shall reimburse Plaintiff all reasonable expenses and attorneys' fees incurred in response to Defendants' discovery failures and Plaintiffs' efforts in obtaining judgment by default against Defendants." *See* ECF No. 39. The Court provided Plaintiffs the opportunity to file a Petition for Fees within 15 days of the Order. *See id.*

On or about July 22, 2024, Plaintiffs filed a Petition for Attorneys' Fees. *See* ECF No. 40. The Court has not yet ruled on Plaintiffs' Petition. Instead, several days later on July 29, 2024, the Court issued an Order which noted that Defendants filed a late response to the Show Cause Order, which was date-stamped by the clerk's office on July 9, 2024. *See* ECF No. 41. Defendants' response asserted certain alleged excuses for their failure to respond to discovery but did not request, or provide any basis, to vacate the default judgment, which is still in place. Additionally, Defendants' response sought additional time to obtain an attorney in this case, even though the Honorable Ellen L. Hollander previously stayed the case for 30 days on October 30, 2023 to provide Defendants with the opportunity to obtain counsel after their initial counsel withdrew due to "articulable concerns that the Defendants are not being truthful with their attorneys." *See* ECF Nos. 18, 22.

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The Court's July 29th Order stayed the case for 60 days to allow Defendants time to find a new attorney. *See* ECF No. 41. The Order explained that if new counsel had not entered an appearance on the Court's docket within 60 days, the case "will proceed with Defendants acting *pro se*." *See id.*

The deadline for Defendants to obtain new counsel was September 27, 2024, at which point the stay expired. Defendants have not obtained new counsel, and no entry of appearance was filed by any attorney on behalf of Defendants. Defendants have not taken any action to attempt to vacate the Default Judgment, nor could they as they do not qualify for relief from the Default Judgment pursuant to Rule 60 of the Federal Rules of Civil Procedure. Thus, there is no basis for this case to proceed further, even with Defendants remaining *pro se*.

Accordingly, Plaintiffs respectfully request that the Court keep in place the Default Judgment properly entered against Defendants on July 10, 2024, issue an award in favor of Plaintiffs for their reasonable attorneys' fees pursuant to the Petition filed on July 22, 2024 (ECF No. 40), and otherwise close this matter.

Thank you for your attention to this matter and your consideration of this request.

Very truly yours,

KAGAN STERN MARINELLO & BEARD, LLC

Michael J. Marinello

Michael J. Marinello

cc: Doreen Henry
Roger Kerr